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4 UNITED STATES DISTRICT COURT

5 DISTRICT OF NEVADA

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7 Rodney Lashain Washington,
8 Plaintiff,

9 vs.

10 Susan Ivany, *et al.*,
11 Defendants.

Case No. 2:22-cv-01450-CDS-VCF

Order

Motion to Extend Time (ECF No. 5)

12 I previously ordered incarcerated pro se plaintiff Rodney Lashain Washington to file the long
13 form application to proceed in forma pauperis (IFP) given that his original IFP application was
14 incomplete. ECF No. 3. When plaintiff missed his deadline to either file an IFP application or pay the
15 filing fee, I ordered that this case be administratively closed for failure to commence this action. ECF
16 No. 4.

17 Washington then filed a motion for an extension of time to file his IFP application. ECF No. 5. I
18 granted his motion and gave him sixty days to file it. ECF No. 6. The extended deadline to file his IFP
19 application has now passed, and he has not filed a new IFP application or paid the filing fee. Plaintiff did
20 file a letter that appears to explain why his complaint has merit (ECF No. 7) and he filed “evidence” for
21 his complaint (ECF No. 8), but neither of his filings address his failure to file an IFP application. Since
22 plaintiff has not commenced this action, I order that this case be administratively closed.

23
24 ACCORDINGLY,

25 I ORDER that the Clerk of Court is directed to administratively CLOSE this case.

NOTICE

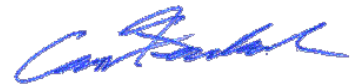
Pursuant to Local Rules IB 3-1 and IB 3-2, a party may object to orders and reports and recommendations issued by the magistrate judge. Objections must be in writing and filed with the Clerk of the Court within fourteen days. LR IB 3-1, 3-2. The Supreme Court has held that the courts of appeal may determine that an appeal has been waived due to the failure to file objections within the specified time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985).

This circuit has also held that (1) failure to file objections within the specified time and (2) failure to properly address and brief the objectionable issues waives the right to appeal the District Court's order and/or appeal factual issues from the order of the District Court. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983).

Pursuant to LR IA 3-1, the plaintiff must immediately file written notification with the court of any change of address. The notification must include proof of service upon each opposing party's attorney, or upon the opposing party if the party is unrepresented by counsel. Failure to comply with this rule may result in dismissal of the action.

IT IS SO ORDERED.

DATED this 10th day of March 2023.



CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE